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PATENT

Atty. Docket No. DX01136K

on Sept. 6, 2002.

CN 028008

By:

Lois Miller  
Lois Miller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SMITH & ZLOTNIK

Serial No.: 09/920,318

Filed: July 31, 2001

For: USES OF MAMMALIAN GENES  
AND RELATED REAGENTS

Examiner: not yet assigned

Art Unit: not yet assigned

### INFORMATION DISCLOSURE STATEMENT

Palo Alto, California 94304

September 6, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The materials as listed in the attached modified PTO 1449 form are brought to the Examiner's attention pursuant to the duty of disclosure under 37 C.F.R. § 1.56, § 1.97, and § 1.98.

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached modified PTO 1449 form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

Since this Information Disclosure Statement is being filed before receiving the first Office action, applicants believe no fee is required for filing this document; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute's Deposit Account No. 04-1239.

September 6, 2002

Respectfully submitted,

By: Sheela Mohan-Peterson  
Sheela Mohan-Peterson  
Attorney for Applicants  
Reg. No. 41,201

Enclosures: Modified PTO 1449 form (1 page)  
References AA and AD (4 refs.)